

DRAFT

**Minutes of the Planning and Zoning Commission
October 10, 2013**

The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on October 10, 2013 following at 9:00 a.m. site visit at 316 Diamond Back Road.

Present: Commissioners Ken Herich, Jake Provonsha, John O'Connor, and Margaret Walker.

Absent: Commissioner Keith Saks.

Also Present: Community Development Director Mark Hofman, Community Development Planning Technician and Associate Planner Isabel Lui, City Attorney Adam King, City Clerk Hannah Stauts, Peter Hendricks, Kurt Eggers, Jaime Snyder, Mark Gilbert, and Jim Laski.

1. Call To Order

Chairman Herich reconvened the meeting at 9:38 a.m. following a site visit at 316 Diamond Back Road.

Chairman Herich moved the Consent Agenda to later in the agenda.

2. Public Comment

None.

4. New Business

- A. [Jim Ruscitto, AIA for Greg and Gwen Weld; Public hearing and noticed site visit for a Design Review Application proposing construction of a new 10,921 square foot single family dwelling with an attached 1,399 square foot garage and associated site improvements on a residential lot in the Rural Estate and Ranch \(RA\) Zoning District of the City of Sun Valley. Location: 316 Diamond Back Road; Lot 8 White Clouds Corrected PUD Subdivision. Application No: DR 2013-29. \(9am site visit at the project address to begin the Commission's meeting\)](#)

Jim Ruscitto, architect, presented the design review plans to the Commission. The Commission asked about the roof plans and materials, and Ruscitto said that the roof slope needed to be corrected to reflect an 11.8% slope. The Commission discussed the roofing material and the classification of Divinci brand products. Ruscitto took the Commission through the remaining details of the application. The Commissioners stated that they were satisfied with the proposed lighting plan.

Ruscitto discussed the easement issue that they are working on with Benchmark Associates. Community Development Director Mark Hofman recommended a Condition of Approval making sure the easement issue is resolved as part of this application. Hofman recommended a

plat amendment. The Commission discussed the advantages of doing a plat amendment. Ruscitto said that it was their intent with this project to do a plat amendment.

Ruscitto discussed the snow storage easement and driveway heating plans. Additional snow storage was included as a "back up". He then showed the location of a generator on the plans, but shared adjustments that were made in those plans. Chairman Herich asked Ruscitto to review the mechanical aspects of the project. Ruscitto pointed out the locations of the external mechanical elements as they were indicated on the plans.

Next, Ruscitto discussed the slope of the project area and how the home would not involve any slope analysis issues aside from a few anomalies. Hofman said the reason for the slope analysis was because of the overall Whiteclouds Subdivision slope analysis and the need to do a site specific analysis to determine applicability.

Commissioner Provonsha asked about access for a fire ladder truck. Ruscitto discussed what he had reviewed with the Fire Department and the access they said they would use. The Fire Department liked the number of options for accessing the house.

Kurt Eggers, landscape architect, reviewed the slope of the site and building envelopes. Eggers then reviewed the landscape plan. Commissioner Provonsha asked questions about the planned trees and the surface material of the driveway. Ruscitto said the driveway will be asphalt and showed the location of drainage elements. Eggers then pointed out the location for the main snow storage area on the plans and discussed the planned locations for trees with the Commission. Chairman Herich asked for a review of the proximity of the landscaping to the home. Eggers reviewed the planned landscaping elements and their proximity to the house, indicating that the vegetation would not be located directly near the home.

Chairman Herich was concerned about the steep slope cut proposed in the landscaping plan and encouraged the applicants to put some thought into that issue before they bring the application back to the Commission, in case they decide they need to change it.

Eggers then walked the Commission through the remainder of the drainage plan and discussed the drainage for the heated asphalt driveway.

Chairman Herich opened the public hearing. There being no comments he closed the public hearing.

Hofman discussed the revised Fire Department plan review letter. The plans for the application had been revised and needed a new review letter from the Fire Department. Hofman stated that the Findings of Fact would be updated to include the date of the revised Fire Department letter. Chairman Herich asked Hofman to discuss the review letter with the Fire Department for accuracy.

Chairman Herich discussed requiring a plat amendment to record the abandonment of the easement. He felt that if it is on the plat it is shown directly and will not come up as an issue later on. Chairman Herich suggested that Item #11 on the Condition of Approval be modified to include that the right-of-way issue be addressed in a plat amendment.

City Attorney Adam King said that the responsibility of the City is in the instance be that "an adequate instrument is used to record the abandonment reflecting the abandonment of an easement". King suggested if the Commission wants a plat amendment to be done, they could add a condition stating "no building permit shall be issued prior to the recordation of a plat amendment". A discussion was held regarding the interest of the City in requiring a plat amendment to record the easement abandonment.

Chairman Herich asked to add to Condition #12 that "all mechanical flues to be concealed in the chimney structures", rather than allowing those elements to be viewable on the backside of the roof facing the recreation area. Hofman said there was one unresolved issue with the construction management plan that the export materials and that the material be removed to outside the City. Hofman also stated that the final snow storage provided needed to be updated to reflect 4,325 square feet.

MOTION

Commissioner Provonsha moved to approve Design Review Application No: DR 2013-29 based on the Findings of Fact and Conclusions of Law as described in the staff report, with the following additions: Item #6, Conditions of Approval, that handling of export material be addressed in the construction management plan to the satisfaction of the Community Development Director; Item #11, Conditions of Approval, that the right-of-way be handled as described with a plat amendment; and Item #12, Conditions of Approval, state that the mechanical venting be concealed in the roof chimney chases, seconded by Commissioner Walker. All were in favor, none opposed. The motion carried.

BREAK

Chairman Herich called for a break at 10:39 a.m.
The meeting was called back to order at 10:44 a.m.

5. [Continued Business](#)

None.

6. [Discussion Items](#)

A. [Limited Common Area Easements for proposed expansions of condominium single use area into common area.](#)

Hofman explained the reasoning and history behind applications for "limited common area easements" within condominium common areas. Hofman provided an overview of the typical process for how requests for living space pop-outs and converting common areas into single-use areas are handled. The question is whether the preference would be that these issues are

handled through a limited common area easement or a plat amendment. Hofman stated that the City's interest is in ensuring that ownership is checked and that the change is memorialized in some way.

Jim Laski, attorney for the New Villager Condominium Association, presented to the Commission the issue from the condominium association's perspective. The Association is interested in figuring out a way that these changes can be memorialized with the City without requiring a plat amendment. Laski said they are interested in streamlining minor condominium additions short of plat amendments, and they proposed doing it through easements.

King said a plat amendment would not change the ownership, rather the allowable use.

Mark Gilbert, Board President for the New Villager Condominium Association, discussed how the uses have been handled in the past. Chairman Herich discussed a similar example that he is involved with in Dollar Meadows.

Laski said that the Association could amend their declaration to allow the Board the authority to approve these minor additions into the common area space. Hofman said that this approach would satisfy the City so long as there was a design review and building permit. Hofman explained the reasoning from the City's perspective why this approach would benefit the City.

The Commission agreed that they felt easement applications were an appropriate way to memorialize these minor additions to satisfy the concerns of the City.

3. [Consent Agenda](#)

A. [Draft Minutes from the Planning and Zoning Commission Meeting of August 15, 2013.](#)

The Commission discussed edits to the minutes with the City Clerk.

MOTION

Commissioner Provonsha moved to approve the minutes of August 15, 2013, as amended, seconded by Commissioner Walker. All were in favor, none opposed. The motion carried.

A discussion was held regarding updating the information in the Fire Department plan review letter to reflect the current roof design requirements.

Hofman said there was nothing noticed for the October 24th meeting. The Commission agreed to cancel it. Commissioner Walker said she would not be there for the November 14th meeting if a quorum would be present, and she will be absent for the December 12th meeting.

7. [Adjourn](#)

Commissioner Provonsha moved to adjourn, seconded by Commission Walker. All were in favor, none opposed. The motion carried.

The meeting was adjourned at 11:48 a.m.

Meeting Schedule:

November 14, 2013 at 9:00 a.m. Regular Planning & Zoning Meeting, Council Chambers

APPROVED:

Ken Herich, Chairman

ATTEST:

Hannah L. Stauts, City Clerk